

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

JONATHAN J. FRANK  
D.O.C. # 329734

:

CIVIL ACTION NO. 2:18-cv-1469

VERSUS

:

JUDGE SUMMERHAYS

DARREL VANNOY

:

MAGISTRATE JUDGE KAY

JUDGMENT

For the reasons stated in the Report and Recommendation [doc. 4] of the Magistrate Judge previously filed herein and after an independent review of the record, a *de novo* determination of the issues, and consideration of the objections filed herein, and having determined that the findings are correct under applicable law;

**IT IS ORDERED** that the petition for writ of habeas corpus be **DENIED** and **DISMISSED WITHOUT PREJUDICE**. The clerk is directed to file the petition as an amended complaint in *Frank v. Vannoy*, No. 2:18-cv-1432.

**THUS DONE AND SIGNED** in Chambers this 10<sup>th</sup> day of December,  
2018.

  
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**ROBERT R SUMMERHAYS**  
**UNITED STATES DISTRICT JUDGE**